

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CRIMINAL CASE NO. 3:99cr46-1

UNITED STATES OF AMERICA,)

)

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vs.

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ANTONIO COVINGTON.)

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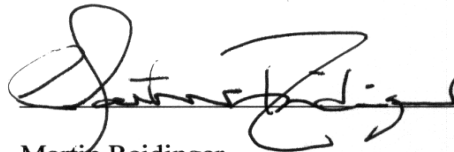
ORDER

THIS MATTER is before the Court *sua sponte* to lift the stay previously imposed.

On February 21, 2008, the Defendant filed a Motion to Reduce Sentence [Doc. 35] through counsel. In response to the Government's unopposed motion for a stay of the matter, the undersigned granted the motion and stayed the case through October 15, 2008. [Doc. 38, filed April 30, 2008]. Since that time, however, the United States Probation Office has filed its Supplement to the Presentence Report pursuant to Crack Cocaine Guideline Amendment [Doc. 40, filed May 13, 2008] as well as its Sentencing Recommendation pursuant to Crack Cocaine Guideline Amendment [Doc. 41, filed May 13, 2008].

As a result of these filings, it appears that the matter will be ripe for disposition prior to the October 15, 2008 deadline, and that the grant of the stay through that date was improvidently granted.

IT IS, THEREFORE, ORDERED that the stay previously imposed in this matter is hereby lifted and the Government shall file its response to the Defendant's Motion to Reduce Sentence [Doc. 35] on or before August 1, 2008.


Martin Reidinger
United States District Judge



Signed: June 23, 2008